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PATENT APPLICATION

#4

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

**ATTORNEY DOCKET NO. 50037.65USU1
MS DOCKET NO. 177809.2**

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM AND APPARATUS FOR PERFORMING BROADCAST AND LOCALCAST COMMUNICATIONS** the specification of which is attached hereto unless the following box is checked:

☒ which was filed on October 26, 2001 as US Application Serial No. 10/044,294 or PCT International Application Number and was amended on (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of an foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NUMBER | DATE FILED | PRIORITY CLAIMED UNDER 35 U.S.C. |
|---------|--------------------|------------|--|
| | | | Yes: <input type="checkbox"/> No: <input type="checkbox"/> |

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

| APPLICATION NUMBER | FILING DATE |
|--------------------|--------------|
| 60/302,831 | July 3, 2001 |

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NUMBER | FILING DATE | STATUS (patented/pending/abandoned) |
|--------------------|-------------|-------------------------------------|
| | | |

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected herewith:

| | | | |
|--------------------|-----------------|--------------------|-----------------|
| Albrecht, John W. | Reg. No. 40,481 | Branch, John W. | Reg. No. 41,633 |
| Ali, M. Jeffer | Reg. No. 46,359 | Brown, Jeffrey C. | Reg. No. 41,643 |
| Altera, Allan G. | Reg. No. 40,274 | Bruess, Steven C. | Reg. No. 34,130 |
| Anderson, Gregg I. | Reg. No. 28,828 | Byrne, Linda M. | Reg. No. 32,404 |
| Batzli, Brian H. | Reg. No. 32,960 | Campbell, Keith | Reg. No. 46,597 |
| Beard, John L. | Reg. No. 27,612 | Carlson, Alan G. | Reg. No. 25,959 |
| Berns, John M. | Reg. No. 43,496 | Caspers, Philip P. | Reg. No. 33,227 |

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| Clifford, John A. | Reg. No. 30,247 | Mitchem, M. Todd | Reg. No. 40,731 |
| Cook, Jeffrey | Reg. No. P-48,649 | Mueller, Douglas P. | Reg. No. 30,300 |
| Daignault, Ronald A. | Reg. No. 25,968 | Nelson, Anna M. | Reg. No. 48,935 |
| Daley, Dennis R. | Reg. No. 34,994 | Paley, Kenneth B. | Reg. No. 38,989 |
| Daulton, Julie R. | Reg. No. 36,414 | Parsons, Nancy J. | Reg. No. 40,364 |
| DeVries Smith, Katherine M. | Reg. No. 42,157 | Pauly, Daniel M. | Reg. No. 40,123 |
| DiPietro, Mark J. | Reg. No. 28,707 | Phillips, John B. | Reg. No. 37,206 |
| Doscotch, Matthew A. | Reg. No. 48,957 | Pino, Mark J. | Reg. No. 43,858 |
| Edell, Robert T. | Reg. No. 20,187 | Prendergast, Paul | Reg. No. 46,068 |
| Epp Ryan, Sandra | Reg. No. 39,667 | Pytel, Melissa J. | Reg. No. 41,512 |
| Glance, Robert J. | Reg. No. 40,620 | Qualey, Terry | Reg. No. 25,148 |
| Goff, Jared S. | Reg. No. 44,716 | Reich, John C. | Reg. No. 37,703 |
| Goggin, Matthew J. | Reg. No. 44,125 | Reiland, Earl D. | Reg. No. 25,767 |
| Golla, Charles E. | Reg. No. 26,896 | Samuels, Lisa A. | Reg. No. 43,080 |
| Gorman, Alan G. | Reg. No. 38,472 | Schmaltz, David G. | Reg. No. 39,828 |
| Gould, John D. | Reg. No. 18,223 | Schuman, Mark D. | Reg. No. 31,197 |
| Gregson, Richard | Reg. No. 41,804 | Schumann, Michael D. | Reg. No. 30,422 |
| Gresens, John J. | Reg. No. 33,112 | Scull, Timothy B. | Reg. No. 42,137 |
| Hamer, Samuel A. | Reg. No. 46,754 | Sebald, Gregory A. | Reg. No. 33,280 |
| Hamre, Curtis B. | Reg. No. 29,165 | Skoog, Mark T. | Reg. No. 40,178 |
| Harrison, Kevin C. | Reg. No. 46,759 | Spellman, Steven J. | Reg. No. 45,124 |
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| Larson, James A. | Reg. No. 40,443 | Williams, Douglas J. | Reg. No. 27,054 |
| Leonard, Christopher J. | Reg. No. 41,940 | Withers, James D. | Reg. No. 40,376 |
| Liepa, Mara E. | Reg. No. 40,066 | Witt, Jonelle | Reg. No. 41,980 |
| Lindquist, Timothy A. | Reg. No. 40,701 | Wu, Tong | Reg. No. 43,361 |
| Lown, Jean A. | Reg. No. 48,428 | Young, Thomas | Reg. No. 25,796 |
| Mayfield, Denise L. | Reg. No. 33,732 | Zeuli, Anthony R. | Reg. No. 45,2555 |
| McDonald, Daniel W. | Reg. No. 32,044 | | |
| McIntyre, Jr., William F. | Reg. No. 44,921 | | |

In addition, I also hereby appoint the following attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith:

Kate E. Sako, Reg. No. 32,628
Daniel D. Crouse, Reg. No. 32,022

| | |
|---|---|
| Send Correspondence to: John E. Whitaker, Reg. No. 42,222 Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 | Direct Telephone Calls To: 206.342.6255 |
|---|---|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are so made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

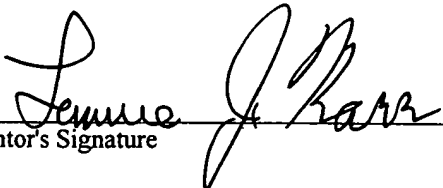
Full Name of Inventor: Lawrence J. Karr

Citizenship: USA

Residence: Santa Monica, California

Post Office Address: 445 15th Street

Santa Monica, California 90402


Inventor's Signature

10 May 2002
Date

Full Name of Inventor: William H. Mitchell

Citizenship: USA

Residence: Redmond, Washington

Post Office Address: 22205 NE 66th Place

Redmond, Washington 98052

Inventor's Signature

Date



27488

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Full Name of Inventor: Lawrence J. Karr

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Residence: Santa Monica, California

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Santa Monica, California 90402

Inventor's Signature

Date

Full Name of Inventor: William H. Mitchell

Citizenship: USA

Residence: Redmond, Washington

Post Office Address: 22205 NE 66th Place

Redmond, Washington 98052

Inventor's Signature

Date



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PATENT TRADEMARK OFFICE